REMARKS

Claims 1-208 are pending in the above-identified application, and were rejected. With

this Amendment, no claims were amended or cancelled, and claim 209 was added. Accordingly,

claims 1-209 are at issue.

I.   35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 41-59 and 61-71 were rejected under 35 U.S.C. § 102(e) as being anticipated by

or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Ginter (U.S. Patent No.

6,253,193 B1). Applicants respectfully traverse this rejection.

Claim 41 is directed to a data providing apparatus for distributing content data to a data

processing apparatus for using the content data. The data providing apparatus distributes a

module storing content data encrypted by using content key data, encrypted content key data, and

encrypted usage control policy data including the handling of the content data to the data

processing apparatus.

Ginter is directed to systems and methods for protecting rights of various participants in

electronic commerce and transactions. (See Col. 1, lines 21-25). Every virtual distribution

environment (VDE) participant in "chain of handling and control" is normally subject to "rules

and control." "Rules and controls" define the respective rights and obligations of each of the

various VDE participants. (See Col. 56, lines 37-43). The content creator 102 sends the "rules

and controls" associated with the content to a VDE rights distributor 106. (See Col. 55, lines 39-

41). The distributor 106 generates her own "rules and control" that relate to usage of the content

and how much it costs to use the content. The usage-related "rules and controls" must be

consistent with the "rules and controls" specified by the content creator 102. (See Col. 55, lines

44-51). The content user 112 uses the content in accordance with the usage-related "rules and controls." (See Col. 55, lines 54-56). The information relating to content use is reported to a financial clearinghouse 116. (See Col. 55, lines 57-59). "Rules and controls" may specify which financial clearinghouse(s) 116 may process payments. (See Col. 56, lines 46-47). Based on its reports and payments it receives, the financial clearinghouse 116 may provide reports and/or payments to the distributor 106. (See Col. 55, lines 63-66). Often, "rules and control" specified by one VDE participant cannot be changed by another VDE participant. (See. Col 56, lines 54-56). Ginter does not disclose or suggest the data providing apparatus distributing module storing content data encrypted by using content key data, encrypted content key data, and encrypted usage control policy data including the handling of the content data to the data processing apparatus. (See Fig. 1 and Fig. 2). Accordingly, claim 41, and claims 42-55 that depend from claim 41 are allowable over Ginter.

For similar reasons to those discussed above with regard to claim 41, Applicants respectfully submit that claims 56, 58, 61, 62 and all the claims that depend from these claims are also allowable over Ginter.

Accordingly, Applicants respectfully request withdrawal of this rejection.

II.   35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1-40, 60 and 72-208 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ginter (U.S. Patent No. 6,253,193 B1), in view of Park (WO Publication No. 99/15947). Applicants respectfully traverse this rejection.

Claim 1 is directed to a data providing system for distributing content data from a data providing apparatus to a data processing apparatus. The data providing apparatus distributes a module storing the content data encrypted by using content key data, encrypted content key data, and encrypted usage control policy data indicating handling of the content data to the data processing apparatus. The data processing apparatus decrypts the content key data and the usage control policy data stored in the distributed module and determines the handling of the content data based on the related decrypted usage control policy data. A management apparatus manages the data providing apparatus and the data processing apparatus. The data providing apparatus sends a usage control policy data and requests the management apparatus to certify legitimacy of the usage control policy data. The management apparatus registers and services the usage control policy data from the data providing apparatus, and certifies the legitimacy of the usage control policy data in response to a request from the data providing apparatus.

As discussed above, Ginter is directed to systems and methods for protecting rights of various participants in electronic commerce and transactions. (See Col. 1, lines 21-25). Every virtual distribution environment (VDE) participant in "chain of handling and control" is normally subject to "rules and control." "Rules and controls" define the respective rights and obligations of each of the various VDE participants. (See Col. 56, lines 37-43). The content creator 102 sends the "rules and controls" associated with the content to a VDE rights distributor 106. (See Col. 55, lines 39-41). The distributor 106 generates her own "rules and control" that relate to usage of the content and how much it costs to use the content. The usage-related "rules and controls" must be consistent with the "rules and controls" specified by the content creator 102. (See Col. 55, lines 44-51). The content user 112 uses the content in accordance with the usage-

related "rules and controls." (See Col. 55, lines 54-56). The information relating to content use

is reported to a financial clearinghouse 116. (See Col. 55, lines 57-59). "Rules and controls"

may specify which financial clearinghouse(s) 116 may process payments. (See Col. 56, lines 46-

47). Based on its reports and payments it receives, the financial clearinghouse 116 may provide

reports and/or payments to the distributor 106. (See Col. 55, lines 63-66). Often, "rules and

control" specified by one VDE participant cannot be changed by another VDE participant. (See.

Col 56, lines 54-56). Therefore, Ginter does not disclose or suggest a management apparatus

that manages the data providing apparatus and the data processing apparatus. Ginter further does

not disclose or suggest, the data providing apparatus sending a usage control policy data and

requesting the management apparatus to certify legitimacy of the usage control policy data or the

management apparatus registers and services the usage control policy data from the data

providing apparatus, and certifies the legitimacy of the usage control policy data. Accordingly,

claim 1, and claims 2-16 that depend from claim 1 are allowable over Ginter.

For reasons similar to those discussed above with regard to claim 1, Applicants

respectfully submit that claims 18, 39, 40, 60, 72, 77, 79, 82, 83, 90, 92, 95, 96, 97, 98, 99, 114,

117, 120, 135, 138, 140, 141, 142, 150, 151, 152, 153, 155, 158, 159, 160, 164, 165, 166, 169,

172, 173, 174, 175, 178, 179, 180, 181, 182, 183, 184, 185, 186, 188, 191, 192, 193, 197, 198,

199, 202, 205, 206, 207, 208, and all claims that depend from these claims are also allowable

over Ginter.

Claim 17 is directed to a data processing apparatus utilizing content data distributed from

a data providing apparatus. The data processing apparatus receives a module storing content

data encrypted by using content key data, and encrypted content key data. The data processing

apparatus determines the handling of content data based on the related decrypted usage control policy data. In Ginter, the financial clearinghouse (VDE administrator) does not receive or impart "rules and controls." (See. Fig. 2). Therefore, Ginter neither discloses nor suggests storing both content data and encrypted content key data in a module or the data processing apparatus determines the handling of content data based on the related decrypted usage control policy data . Accordingly, claim 17 is allowable over Ginter.

As discussed above, Ginter does not disclose or suggest the required elements of the present invention. Thus, it would not have been obvious to one skilled in the art at the time the invention to modify the invention disclosed in Ginter, with the teachings of Park to derive claims 1-40, 60 and 72-208. Accordingly, Applicants respectfully request withdrawal of this rejection.

III.   Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect..

Respectfully submitted,

Dated: October 11, 2005   By:

Marina N. Saito
Registration No. 42,121
SONNENSCHEIN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000